

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

AUG 27 2020

for the

District of

New MexicoMITCHELL R. ELFERS
CLERK *lmn*

Division

FORREST EVANS
ERNESTINE HODGERAPIDO MVD SERVICES

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

See Attachments

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Case No.

20cv 874 KRS

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

A. The Plaintiff(s)

Name FORREST EVANS - ERNESTINE HODGE - RAPIDO MVD SERVICES

Address 409 E. LANDR

HOBBES NM 88240

City State Zip Code

County LEA

Telephone Number 575-341-8634

E-Mail Address FEVANS@RAPIDOSERVICES-NM.COM

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Name Margaret William
Job or Title (if known) Bureau Chief
Address 505 Marquette NW Suite 1501
Albuquerque, NM 87102
City State Zip Code
County Bernalillo
Telephone Number 505-383-2316
E-Mail Address (if known) SuretyBond@state.nm.us
☒ Individual capacity ☐ Official capacity

Name Alicia Ortiz

Job or Title (if known) MVD Director

Address 1200 S. St. Francis Dr
Santa FE NM 87505
City State Zip Code

County Santa FE

Telephone Number 414

E-Mail Address (if known) ALICIA.ORTIZ@STATE.NM.US

☒ Individual capacity ☐ Official capacity

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

Defendant No. 3

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

William Duran

Director MVD

6301 Indian School RD NE #710
Albuquerque nm 87110

City

State

Zip Code

Bernalillo

505-841-8340

U/H



Individual capacity



Official capacity

Defendant No. 4

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Angel B. Martinez

1200 S. St Francis Dr.

Santa Fe

nm

87505

City

State

Zip Code

Santa Fe

505.827-0722

Angel.martinez@state.nm.us



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Race, AGE, Mental Disability Discrimination & Harassment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

N/A

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

See Attachment PAGE 4 OF 6A

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

See Attachment page 4 OF 6A

- B. What date and approximate time did the events giving rise to your claim(s) occur?

See Attachment page 4 OF 6A

- C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

SEE ATTACHMENT 4 OF 6A

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

~~None~~ 7c See page 5 of 6 ATTACHED

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

See page 5 of 6b ATTACHED

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 8/17/20 Rapido MVD Services
Signature of Plaintiff [Signature]
Printed Name of Plaintiff FORREST EVANS - ERNESTINE HODGE

Date of signing: _____

Signature of Attorney *N/A*

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

_____ *City* _____ *State* _____ *Zip Code*

Telephone Number _____

E-mail Address _____

Attachment to page 1, Defendant(s):

Margaret Williams

Angel Martinez

Mark Williams

Alicia Ortiz

William Duran

Noel Davis

Vickie Evans

Danette Barela

Teresa Valdez

April Vigil

Olivia Gauna

Cheryl Gerthe

Susana Martinez

State Senator of New Mexico Gay Kernan

State Representative of New Mexico Larry Scott

City of Hobbs, NM

Irene De La Cruz

Mike Stone

City of Lovington, NM

James R Williams

Maria Hernandez

John Monforte

FOR HIS/HER cause of action Plaintiff(s) states:

1. Jurisdiction is pursuant to 42 U.S.C., Section 1983, and the "Due Process Clause," Amendment V, United States Constitution.
2. Plaintiff(s) were residents of Hobbs, Lea County, New Mexico, at all times pertinent to this action.
3. Defendant(s), State of New Mexico employees, elected official or Governors Appointees, Margaret Williams, Angel Martinez, Mark Williams, Alicia Ortiz, William Duran, Noel Davis, Vickie Evans, Danette Barela, Teresa Valdez, April Vigil, Olivia Gauna, Cheryl Gerthe, Susana Martinez, Acting Director of DLB John Monforte, (Senator Gay Kernan and Rep. Larry Scott reside in Hobbs, New Mexico) were all residents of New Mexico, residing in either Santa Fe, New Mexico or Albuquerque, New Mexico to the best of my knowledge and belief at the time of this cause of action. Defendants Irene De La Cruz and Mike Stone, were residents of Hobbs, Lea County, New Mexico, (Presume) at all times pertinent to this action. City of Hobbs is a municipal corporation for whom the employees were employed and authorized to act. Defendants James R Williams and Maria Hernandez, were residents of Lovington, Lea County, New Mexico, (presume) at all times pertinent to this action. City Lovington, New Mexico is a municipal corporation for whom the employees were employed and authorized to act.
4. On or about June 2013, Plaintiff, who is an African-American, encountered numerous occurrences of accusations and harassment from Irene De La Cruz, Margaret Williams Angel Martinez and Alicia Ortiz. Margaret Williams ultimately revoked Plaintiffs license to perform vehicle inspections two different times. When asked why she took these actions she said "I don't have to have a reason." Plaintiff took the licensing test on two occasions in Albuquerque, New Mexico, and passed the test first time in both instances.
5. Defendant Margaret Williams, April 6, 2015, wrote Plaintiff Ernestine Hodge, the owner of Rapido MVD Services advising her of the stringent and impossible criteria Rapido MVD Services would be judged, she stated in that letter that "These policies and procedures apply to all TSC's (Title Service Companies) equally and enable the DLB (Dealers Licensing Bureau) to address administrative issues in a consistent manner," equality was non-existent and DLB keep the numbers in a system referred to as "Errors Resolution."

6. March 21, 2007, Defendant Noel Davis wrote in an email "I'd like to start an investigation of the paperwork presented by Rapido MVD for processing by the Eunice office, but do so very quietly." Rapido MVD Services nor Plaintiff(s) ever heard about this investigation.
7. On June 25, 2015, Margaret Williams wrote Plaintiff Ernestine Hodge with an ultimatum, "Mr. Evans will be removed from his position that enables him to process applications for vehicle titles and vehicle registrations, or your license will be revoked."
8. Plaintiff Forrest Evans requested on numerous occasions that Rapido MVD Services be reconsidered to gain access to the States computers in order to issue license plates, issue stickers for plates and numerous other functions that were proprietary to the States computer systems which were SAMBA and Tapestry. The State employees consistently responded with a resounding and emphatic "no." Reasons given were the same, "quality standards" and "performance standards." Defendant "never" presented Plaintiff Forrest Evans with any evidence or examples of her accusations. In the letter of June 25, 2015, Defendant Margaret Williams stated, "We believe we have given you some notice in the past that the performance of Rapido MVD Services during the time it has been managed by Mr. Evans has not met minimum performance standards and MVD has seen no improvement indicating you have taken our concerns seriously."
9. Beginning in July 2015 to November 2019, Plaintiff Forrest Evans was relieved of his position and did not sign off on any work to be presented to the local Municipal MVD's. However, State of New Mexico employees kept up the accusations of Plaintiff making errors and Plaintiffs inability to perform satisfactory work. Plaintiff allege the State does not have records of errors pertaining to Plaintiff Forrest Evans from 2015 thru 2019.
10. From approximately 2013 to July 2015, Plaintiff Forrest Evans made several phone calls to Defendant Margaret Williams with questions and 100 % of the time Defendant Margaret Williams stated, "you should know the answer to that, we covered it in class." One of Defendants Margaret Williams form of persistent harassment and discrimination.
11. As a direct and proximate result of the defendants' actions, Plaintiff Forrest Evans suffered psychic, financial and emotional injuries and damages, and should recover more than \$100,000 compensatory damages and more than \$500,00 punitive damages, attorney fees and cost.
12. As grounds for this claim, Plaintiff(s) alleges violations of their federal and state Constitutional and civil rights, including their right to equal protection of the law, malicious

prosecution, mental and emotional anguish, loss of reputation, defamation, slander and loss of earnings capacity proximately and calculatingly caused by illegal and authorized actions and omissions of the State of New Mexico's employees and Municipal employees of Lovington, NM and Hobbs, NM, and furthermore, these employees acted under the color of authority in perpetrating such acts and omissions against Plaintiff(s) to his/her detriment and prejudice. Defendants, Margaret Williams and Irene De La Cruz violated Plaintiff(s) civil rights by violating Plaintiffs(s) Constitutional Rights to Life, Liberty and the Pursuit of Happiness.

13. November 2019, Defendant Alicia Ortiz revoked Rapido MVD Services State license as a Dealer License Bureau Partner. This termination occurred, approximately seven months, after finally being granted access to the State of New Mexico's computer systems to issue license plates. There was no warning. Rapido MVD Services employees (had access to monitoring errors in the Tapestry (State of NM computers) system), detected few errors and promptly corrected the errors.
14. Defendants; Alicia Ortiz, William Duran, Noel Davis, Vickie Evans, Danette Bareia, Teresa Valdez, April Vigil, Olivia Gauna, Cheryl Gerthe, Susana Martinez, City of Hobbs, NM, Mike Stone, City of Lovington, New Mexico, Maria Hernandez, James R Williams and John Monforte all participated in depriving Plaintiff(s) Forrest Evans and Ernestine Hodge of their individual civil rights by sanctioning directly or indirectly participation in said scheme by complicity and omission.
15. Approximately 2015, Plaintiff Forrest Evans delivered Defendant Senator Gay Kernan a letter requesting she look into my allegations of harassment, Defendant never followed up after several calls to her. Plaintiff Forrest Evans allege Defendant fail in her oath to protect citizens civil and Constitutional rights.
16. Plaintiff(s) demands a trial by jury on those factual issues not directly a matter of law.
WHEREFORE, Plaintiff(s) prays that they recover judgement against Defendants jointly and severally for more than \$1000,000.00 compensatory damages, more than \$500,000.00 punitive damages, attorney fees, costs and such other relief as the Court may deem just and Proper.

The Parties to This Complaint (continued from pg. 3 of 6)**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization or a corporation. For an individual defendant include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 5

Name Mark Williams

Job or Title (if known) Operations

Address 309 SIERRA DR SE APT 102, ALBUQUERQUE, NM, 87108

County Bernalillo

Telephone Number 505-319-4012

E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 6

Name Noel Davis

Job or Title (if known) Bureau Chief

Address 505 Marquette NW Suite 1501

County Bernalillo

Telephone Number 505-660-2699

E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 7

Name Vickie Evans

Job or Title (if known) u/k

Address 505 Marquette NW Suite 1501

County Bernalillo

Telephone Number 505-383-2316

E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 8

Name Danette Barela
 Job or Title (if known) VIN Coordinator
 Address 505 Marquette NW Suite 1501
 County Bernalillo
 Telephone Number 505-383-2316
 E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 9

Name Olivia Gauna
 Job or Title (if known) Bureau Chief
 Address 505 Marquette NW Suite 1501
 County Bernalillo
 Telephone Number 505-383-2316
 E-Mail Address (if known) u/k

Individual

☒

Capacity

Official Capacity

☐

Defendant No. 10

Name Susana Martinez
 Job or Title (if known) X-Governor of New Mexico
 Address 6125 N JORNADA RD, LAS CRUCES, NM, 88012
 County Dona Ana
 Telephone Number
 E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 11

Name Cheryl Gertne
 Job or Title (if known) Bureau Chief
 Address 505 Marquette NW Suite 1501
 County Bernalillo
 Telephone Number 505-383-2316
 E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 12

Name City of Hobbs, NM
 Job or Title (if known) Municipality
 Address 202 E Broadway, Hobbs, NM 88240
 County Lea
 Telephone Number
 E-Mail Address (if known) u/k

☒

Individual Capacity

☒

Official Capacity

Defendant No. 13

Name Irene De La Cruz
 Job or Title (if known) Manager Hobbs MVD
 Address 200 E Broadway, Hobbs, NM 88240
 County Lea
 Telephone Number (575) 397-9200
 E-Mail Address (if known) u/k



Individual Capacity



Official Capacity

Defendant No. 14

Name Mike Stone
 Job or Title (if known) Manager Hobbs MVD
 Address 200 E Broadway, Hobbs, NM 88240
 County Lea
 Telephone Number (575) 397-9200
 E-Mail Address (if known) u/k



Individual Capacity



Official Capacity

Defendant No. 15

Name City of Lovington, NM
 Job or Title (if known) Municipality
 Address 214 S Love, Lovington, NM 88260
 County Lea
 Telephone Number 575-396-2884
 E-Mail Address (if known) u/k



Individual Capacity



Official Capacity

Defendant No. 16

Name James R Williams
 Job or Title (if known) City Manager
 Address 214 S Love, Lovington, NM 88260
 County Lea
 Telephone Number 575-396-2884
 E-Mail Address (if known) jwilliams@lovington.org



Individual Capacity



Official Capacity

Defendant No. 17

Name Maria Hernandez
 Job or Title (if known) Manager of the Lovington MVD
 Address 214 S Love, Lovington, NM 88260
 County Lea
 Telephone Number 575-396-9313
 E-Mail Address (if known) u/k

☒

Individual Capacity

☒

Official Capacity

Defendant No. 18

Name John Monforte
 Job or Title (if known) Secretary of the MVD
 Address 3437 Shiloh Rd NE, Rio Rancho, NM 87144-25
 County Bernalillo
 Telephone Number (505) 841-9714
 E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 19

Name April Vigil
 Job or Title (if known) u/k
 Address 505 Marquette NW Suite 1501
 County Bernalillo
 Telephone Number 505-383-2316
 E-Mail Address (if known) u/k

☒

Individual Capacity

☐

Official Capacity

Defendant No. 20

Name Gay Kernan
 Job or Title (if known) New Mexico Senator
 Address PO Box 598 Hobbs, NM 88241
 County Lea
 Telephone Number 575-392-5960
 E-Mail Address (if known) larry.scott@nmlegis.gov

☒

Individual Capacity

☐

Official Capacity

Defendant No. 21

Name Larry Scott
 Job or Title (if known) New Mexico State Representative
 Address P.O. Box 1708, Hobbs, NM 88241
 County Lea
 Telephone Number 505-629-9081
 E-Mail Address (if known) larry.scott@nmlegis.gov

☒

Individual Capacity

☐

Official Capacity

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under Bivens, explain how each defendant acted under color of federal law. Attach additional pages if needed.

1. The following Defendants are parties to Plaintiffs claim of discrimination due to age, mental disability, depriving a citizen of government services and race, however, the persons who directly harassed (due to age and mental disability) Plaintiff by way of email, phone calls or discriminatory treatment were Defendants: Margaret Williams, William Duran, Vickie Evans, Angel Martinez, Alicia Ortiz, Danette Barela, Maria Hernandez and Irene De La Cruz}. The other Defendants were participants in the scheme.
2. Margaret Williams - made numerous calls harassing me concerning falsehoods, rescinded my vehicle inspection license two times without cause, forced my employer (with a letter) to demote me from general manager position, disallowed my entry into VIN classes for two years (approximately seven times) aided by Danette Barela (VIN Coordinator for the State).
3. Angel Martinez – Was on many of Margaret Williams calls made to me and she also made disparaging comments. Disconnected or ordered our website to be disabled for one week because the USER ID was "forevans."
4. Mark Williams – Made an agreement with me to extend our bond then allowed William Duran to dishonor the agreement (at a cost of \$7,500.00 to me). Margaret Williams agreed to allow our company to gain access to (SAMBA a third party State software provider, very necessary to any MVD operation) if I attended a seminar in Albuquerque for two days. Margaret Williams and Mark Williams broke their promise (this cost me expenses and two days of my life, the seminar was utterly useless).

5. Alicia Ortiz – Made numerous accusations concerning my abilities to perform MVD duties: statements such as “**he doesn’t have the where with all,**” Defendant Alicia Ortiz stated that Plaintiff has done harm to the citizens of New Mexico because of my inability to follow procedures. Defendant cancelled Plaintiffs State License (November 2019.) No reason.
6. William Duran – Called Plaintiff to cancel an agreement that Defendant Mark Williams and Plaintiff had agreed to extend Plaintiffs bond. Defendant William Duran stated to Plaintiff “the deal is off and I speak for Mark Williams.” As stated above this was at a cost to me of \$7,500.0 because the bond premium was non-refundable.
7. Noel Davis- Approximately Jan. 20, 2017 Defendant Noel Davis participated in the scheme to have Plaintiff fired from Plaintiffs position with Plaintiffs employer Rapido MVD Services. Defendant Davis participated in conversations appearing to support the State of New Mexico employees’ actions of surveillance and building a case setting me up for failure while purporting to insure Plaintiffs success. Defendant instituted covert surveillance with the Eunice and Lovington MVDs. (March 27, 2017 per email to Teresa Valdez)
8. Teresa Valdez – March 21, 2017 Defendant received this email from Defendant Noel Davis: “I’d like to start an investigation on the paperwork presented by Rapido MVD Services for processing by the Eunice office, **but do so very quietly.**” Can you please assist me in obtaining the VIN numbers associated with the transactions? I’ve spoken with Maria from the Lovington office and she will provide information to me as she comes across it.”
9. Vickie Evans – Jan 2016. Defendant Vickie Evans, according to the IPRA info followed instructions from Defendant Alicia Ortiz, nothing in the IRPA information indicate she tried to understand why the State was harassing Plaintiff.
10. Danette Barela – Defendants title was VIN (Vehicle Identification Number) coordinator from 2013 until 2015. Ms. Barela assisted Margaret Williams in depriving Plaintiff of Plaintiff right into VIN classes. Ms. Barela failed to send electronic invitations to me with class registration. Danette Barela asked Defendant Margaret Williams (who apparently had the authority to make

the decision as to who got into the classes) are you going to let Forrest into the upcoming class?" Defendant Margaret Williams answered "I don't know." Plaintiff was standing in Defendants presence when the conversation occurred.

presence when this conversation occurred. Defendant Ms. Barela or someone with access to the data base for sending out invitations for class registrations deleted Plaintiffs email address, (per Ms. Barela) consequently Plaintiff missed out on VIN class invitations.

11. Olivia Gauna - Jan 11, 2016. Defendant Olivia Gauna according to the IPRA info followed instructions from Defendant Alicia Ortiz. Defendant participated in the scheme to harass Plaintiff, particularly with correspondence with Alicia Ortiz.
12. Cheryl Gerthe – August 04, 2015 (email). Defendant Cheryl Gerthe reinforced the Dealers Bureau's position regarding Plaintiffs inability to sign any State documents, i.e., "VIN inspections, sign Powers of Attorney's, "or any paperwork signed off by him." Remember, from early 2015 to November 2019 they were accusing me of making mistakes and I didn't participate in the preparation of any MVD documents after they forced Plaintiff Forrest Evans to resign.
13. City of Hobbs, NM – Defendant City of Hobbs, NM was complicit with Defendant Irene De La Cruz (Hobbs, MVD manager) in Defendant De La Cruz's cooperation with the State to harass Plaintiff by calling the State whenever Defendant or her employees perceived a potential mistake Plaintiff may have made. Defendant De La Cruz's boss was aware of what she was doing in Plaintiffs opinion.
14. Irene De La Cruz – (2015) Hobbs MVD manager. Defendant De La Cruz told three "lied in two emails addressed to State employees in Albuquerque, New Mexico, which aggravated the accusations concerning Plaintiffs character?
15. Mike Stone – Hobbs City Attorney. Failed to reveal critical information when Plaintiff requested correspondence alleged regarding Irene De La Cruz alleged file she kept concerning Plaintiff.
16. City of Lovington, NM - Defendant City of Lovington, NM. Plaintiff informed the City Manager, James Williams, was aware of Maria Hernandez activity in regards to Plaintiff and Defendant Williams failed to respond to Plaintiff correspondence making him an accessory.
17. James Williams – (2014 approximately) Defendant James Williams Knew about the activities of

Maria Hernandez the MVD manager of the Lovington, NM MVD. Plaintiff informed Defendant Williams by letter of her behavior and Defendant James Williams never responded to Plaintiffs complaint.

18. Maria Hernandez – (2014-2015) Harassed Plaintiff by her snappy responses in our conversations and on one occasion Defendant Hernandez **“took one of Plaintiffs packages”** and retained it claiming that the package was State property. Defendant once told Plaintiff **“you better not come in here again with incomplete documents.”** She tried to get Defendant Margaret Williams on the phone to see how she should handle me, Margaret didn’t answer the phone. The city failed to respond to Plaintiffs IRPA request Plaintiff was informed that the request was forwarded to the State of New Mexico for response. The State never responded.
19. John Monforte – (2017) Acting Director of the MVD. Margaret Williams bragged and made the assertion that everyone knew about Plaintiff from the top down. Therefore, John Monforte knew of my complaints and didn’t protect my rights to a hearing as Acting Director of the MVD.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Plaintiff feel strongly that to understand Plaintiffs dilemma with the State of New Mexico’s MVD the following need to be understood; Plaintiff told Defendant Margaret Williams in 2013 that Plaintiff was in an impossible predicament in that Plaintiff utilized four different MVD’s depending on Plaintiff’s needs (all MVD’s do not follow the same procedures), manual or no manual, as a matter of fact in 2013 the MVD Procedural Manual stated “Managers Discretion” as a possible solution for difficult scenarios. Each MVD processed certain documents other MVDs do not process and at the same time requiring different supporting documentation. If Plaintiff showed up without documents required at one MVD I could go to another MVD and their practice was to accept the same documentation refused by the first MVD. On the other hand, if Plaintiff had more documentation than the chosen MVD needed, that MVD would give the document(s) back to Plaintiff. Knowing that Defendant Margaret Williams was always looking for an indictment against Plaintiff, Plaintiff would plead with the MVD to send the document to Albuquerque even though “their office” didn’t require it,” however, they never sent the extra documents. When Plaintiffs transactions arrived in Santa Fe, Plaintiff became suspect if a document was missing. Please note Plaintiff has about 500 internal emails from Plaintiffs IRPA requests regarding me.

Defendants never suggested in their correspondence with each other to check on the MVDs and question them regarding their procedures. They only discuss scrutinizing Plaintiff. That said, Plaintiff was always having to adjust presentations, however, it was the local MVD's job to approve my presentations if erroneous documents were sent to Santa Fe the Local MVD was the at fault party, not Plaintiff, however, either way Plaintiff was judged and indicted, this is the tactic the State used to hold Plaintiff hostage.

Margaret Williams – (2013-2015) Defendant Margaret Williams started her harassment and discrimination against me in 2013 by accusing me of errors that weren't relevant or never happened, she promised to provide feedback on my "specific transactions" that contained errors and follow the steps set out in the evaluation flow chart, she never followed up on either of these promises. Defendant Margaret Williams enlisted, it appears, all of the MVD State employees in Albuquerque and Santa Fe offices and more specifically Defendant Margaret Williams recruited the following Defendants to participate in her scheme; Irene De La Cruz (manager), Hobbs, NM MVD office, (during 2014-15) the Carlsbad MVD and Defendant Maria Hernandez (manager) of the Lovington, NM DMV. All three Defendants harassed me by reporting me to Defendant Margaret Williams when they detected potential mistakes Plaintiff made and or confiscated Plaintiffs documents with the reason, "Albuquerque has instructed me to do this," not once were they right, to my knowledge.

Defendant Margaret Williams canceled my Vehicle Inspectors credentials on two separate occasions without cause, when Plaintiff asked why Defendant Margaret Williams said "I don't have to have a reason." I took the exam two times and passed both times, yet Defendant Margaret Williams wasn't satisfied. Doing VIN inspections are tricky, it is impossible to train someone to be prepared for every scenario. All VIN inspectors make errors.

(Approximately 2013) The extensive training the State continue to talk about in their correspondence with each other was very haphazard presentations hastily assembled presentations Defendants always prepared right before a class and up to an hour late starting their classes.

Defendant Margaret Williams told Plaintiff Forrest Evans to call around the State to find a MVD that was willing to train Plaintiff. All MVD's told me "no," the Carlsbad MVD told me Defendant Margaret Williams told her to tell me "no." I asked Defendant Margaret Williams why don't you arrange my training with one of the State MVD offices, she said "that's not what I do."

On more than one occasion Defendant Margaret Williams asked me to correct (if I realized they were not processing paperwork properly) personnel in local MVDs that I frequented, stating, "if you know they are not correct in their processes you are obligated to let them know." (now that will put me on the outs for sure because I depended on the local MVD offices).

June 25, 2015 Defendant Margaret Williams wrote my employer, Ernestine Hodge, a letter requesting she terminate me as Rapido MVD's General Manager, Defendant Margaret Williams reason given in the letter was "he is a problem." **I surmised the ring leader was Defendant Margaret Williams and she recruited Defendants Angel Martinez Alicia Ortiz, Irene De La Cruz, Maria Hernandez and the fight went viral.**

Angel Martinez – in 2018 Defendant Angel Martinez discovered that one of the States websites that Rapido MVD Services had access used "forevars" as the user id and Defendant Angel Martinez got upset and disconnected Rapido MVD Services access to the website for almost a week.

In 2019 Defendant Angel Martinez came to our office on two occasions unannounced. Defendant Alicia Ortiz indicated in writing a representative from the State would come to Plaintiffs office on a specific date in December 2019, however, no one showed up nor called. Based on the no show Plaintiff requested Defendant Alicia Ortiz call and make an appointment with Plaintiff before coming to Plaintiffs office to retrieve State property (vehicle license plates). Defendant Angel Martinez showed up unannounced again to Defendants office two days after Plaintiffs request to Defendant Alicia Ortiz to make arrangements with Defendant to retrieve State property that was in Plaintiffs possession.

Mark Williams – (2014) Defendant Margaret Williams definitively promised me that if I came to Albuquerque to a Samba (third party provider for the State of New Mexico) sixteen-hour training Plaintiff would be granted access to the States programs which would save Plaintiff(s) thousands of dollars. After the training (which is a very loose term) was completed I approached Defendant Margaret Williams and asked what the next step was to conclude our agreement. She simply said "we are not going to do it." Plaintiff asked Defendant Margaret Williams for an explanation, Plaintiff asked "why did you let me drive seven hundred miles and spend two days here for nothing?" She just looked away and Plaintiff immediately found Defendant Mark Williams and Plaintiff ask Defendant Mark Williams "what was going on?" (he got defensive, snotty and short) and simply said "Forrest do you know what your problem is? "You don't know how to get along, I have a meeting to get to, good bye." This was the **second time** Defendant Mark Williams broke an agreement with Plaintiff Forrest Evans.

Alicia Ortiz – March 4, 2019, wrote a letter addressed to me as a follow up to my request to Gov. Lujan Grisham to be reinstated as General Manager of our company (Rapido MVD Services), her response was “the initial findings regarding your business operations remain intact. “the number and regularity and severity of the errors and omissions committed by you, despite significant training are sufficient to deny your request for permissions and accesses to conduct transactions on behalf of MVD.” Keep in mind they have never sent me any documents regarding my performance as they had promised.

(2018) Plaintiff asked Defendant Alicia Ortiz if a customer could call her for a reference. Defendant gave me her phone number for the customer to call her. When they connected customer asked Defendant “have you had any complaints against Forrest Evans” Defendant answered “no.” Plaintiff listened to the recorded conversation and the customer signed a document for Plaintiff attesting to the call.

Nov. 2019, Defendant Alicia Ortiz wrote a letter to Plaintiffs cancelling Tapestry contract with the State of New Mexico. She then transferred to another position (Dept. of Transportation) with the State of New Mexico.

(2015) State employees continued to bringing up my inability to perform MVD procedures, when in fact they intimidated the owner of our company into asking Plaintiff Forrest Evans to step down as General Manager of Rapido MVD Services in 2015. The MVD’s were instructed not to accept documents if Plaintiff Forrest Evans name was on them, which included: notarize documents (Plaintiff is a Notary, they backed down on this one when the Sec. of State said they couldn’t enforce this requirement), checks with my signature (I signed all company checks, and I ignored this requirement and kept signing the company checks) written to the State and local MVDs.

Lastly, Defendant Alicia Ortiz refused my several request for a hearing.

William Duran - Called me in 2012 and told me that an agreement between Defendant Mark Williams and I had made was off the table. State employees allowed me to spend \$7,500.00 dollars on a bond that would only be good for five months rather than the contracted twelve months. (Their reason: an old practice was reinstated by the State of New Mexico to harass me and cause my bond to be obsolete after five months of service, I lost seven months of coverage because the State required a bond with an effective date of November 1, 2012). To effect this requirement would have required the expenditure of approximately \$12,000.00 on Plaintiffs behalf. Defendant Mark Williams agreement with me was to allow the existing bond to run its course.

Noel Davis- Approximately Jan. 20, 2017 Defendant Noel Davis participated in the scheme to have me fired from my position with my employer Rapido MVD Services. Defendant Davis participated in conversations appearing to support the State of New Mexico employees actions.

April Vigil – April 8, 2019. Plaintiff April Vigil wrote the following email for internal consumption.

“What’s the best way for us to address this? I am very familiar with Mr. Evans and the circumstances that led to us requiring that he be removed from all MVD transactions or face hearing to cease his partnership with MVD. The rules do not apply solely to him and I don’t believe that he has the personal wherewithal to resume his activity.”

Vickie Evans – Jan 2016. Defendant Vickie Evans, according to the IPRA info followed instructions from Defendant Alicia Ortiz, nothing in the IRPA information indicate she tried to understand why the State was harassing Plaintiff. Plaintiff Vickie Evans called me in 2014 and introduced herself and informed me that if I needed anything to call her. She went on to mention that she heard that “I was intimidating.”

Danette Barela -- Defendants title was VIN (Vehicle Identification Number) coordinator. From 2013 until 2014 I was unable to get into the VIN class. I applied approximately five times. On one occasion I told her I did not get the usual email invitation to apply, Defendant Barela checked her email list and said to Plaintiff “you aren’t on the list any more, I don’t know why, however, I will add you back.”

(approximately in 2013) Defendant Danette Barela asked Defendant Margaret Williams (who apparently had the authority to make the decision as to who got into the classes) are you going to let Forrest into the upcoming class?” Defendant Margaret Williams answered “I don’t know.” I was standing in their presence when this conversation occurred.

Olivia Gauna -- Jan 11, 2016. Defendant Olivia Gauna, according to the IPRA info, followed instructions from Defendant Alicia Ortiz, nothing in the IRPA information indicate she tried to understand why the State was harassing Plaintiff.

Cheryl Gerthe – Defendant Cheryl Gerthe reinforced my statement regarding my inability to sign any documents on Rapido MVD Services on August 04, 2015 (email). She spelled out the things I couldn’t

do: "VIN inspections, sign Powers of Attorney's, or any paperwork signed off by him." Remember, from early 2015 to November 2019 they were accusing me of making mistakes and I didn't sign any documents other than notarize certain documents.

Susana Martinez – Defendant Susana Martinez office was contacted numerous times regarding my complaint and request for a hearing. Defendant Susan Martinez office forwarded my concerns to the "Citizen Advocacy Office." They called Plaintiff two times just to say my complaint had been forwarded. As the State's top official, Defendant Susana Martinez failed to represent Plaintiff Forrest Evans by insuring the application of Plaintiffs "Amendment rights were protected," per her oath of office she swore to uphold. State agencies never addressed Plaintiffs procedure violations.

City of Hobbs, NM – Defendant City of Hobbs, NM was complicit with Defendant irene De La Cruz in her cooperation with the State to harass me by calling the State whenever she or her employees perceived a mistake that I made. Mrs. De La Cruz's boss was aware of what she was doing in my opinion.

Irene De La Cruz – (2015), Defendant De La Cruz "lied" in two emails addressed to State employees in Albuquerque, New Mexico. 1) Defendant De La Cruz stated in 1 of 2 emails that Plaintiff accused Hobbs MVD personnel of discrimination whenever they refused to process Plaintiffs document if errors were found, 2) Defendant De La Cruz blessed me out once for requesting a copy of a document, 3) Defendant De La Cruz accused me of writing a VIN inspection against State procedures, she was mistaken. The emails were discovered in 2020 via IRPA to the City of Hobbs. I am certain there is more correspondence than these two email), 4) one of Defendant De La Cruz's employees asked me "when are you going to stop coming to the Hobbs MVD and when will you start doing your own processing? This employee concluded by saying "you are just taking advantage of us," 5) 2014 – Defendant Irene De La Cruz called Plaintiff and stated Plaintiffs son, Brandon Evans, was at the Hobbs MVD arguing with one of the MVD personnel. Plaintiff Forrest Evans arrived at the Hobbs MVD in time to watch Brandon Evans at the clerk's window and Plaintiff observed the two individuals interact. Brandon and the clerk were not in a confrontation. Brandon, upon Plaintiffs asking about the Defendants claim of a confrontation denied the accusation and was confused as to why Defendant made the accusation.

Mike Stone – Plaintiff Forrest Evans sent an IPRA request to the City of Hobbs, with the knowledge that Defendant De La Cruz kept a file on Plaintiff. (approximately 2017) The City Attorney responded to the

IPRA request with about 600 pages of the same document (Vehicle Title Applications) all were 100% redacted. I later did another IPRA request (approx. August 2019) and received two emails written by Defendant Irene De La Cruz. This should have been supplied to Plaintiff on the original IPRA.

City of Lovington, NM - Defendant City of Lovington, NM was complicit with Defendant Maria Hernandez in her cooperation with the State to harass me by her snappy responses in our conversations and on one occasion she **"took one of my packages"** I gave her for processing and Defendant Hernandez kept the package and told me that those documents belonged to the State of New Mexico and not the Plaintiff. She added that Albuquerque instructed her to forward any documents I presented to the Lovington, NM, MVD office to be retained and forwarded to the Albuquerque, New Mexico for review. I presented a IPRA request to Lovington, NM for information Maria Hernandez documented concerning Plaintiffs interactions with her. I was informed by Defendant City of Lovington that my request was forwarded to Albuquerque. I never heard from Albuquerque regarding my request and Defendant Lovington, NM did not respond to the IPRA.

III Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of the other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?
Albuquerque, Santa Fe, NM, Tatum, NM, Lovington, NM, Hobbs, NM, Artesia, NM and Carlsbad, NM.
- B. What date and approximate time did the events giving rise to your claim(s) occur?
2013 thru 2019. The times and dates are on all of the State Employees emails.
- C. What are the facts underlying your claim(s)? (for example: What happened to you
Who did what? Was anyone else involved? Who else saw what happened.
These answers are in: III. Statement of Claim above.

IV. Injuries

- a. Plaintiff has suffered extensive emotional pain and suffering because Plaintiff couldn't understand the constant "harassment" by State and City employees.
- b. Plaintiff did not seek treatment for these conditions.
- c. Plaintiff spent hours calling many State agencies, writing State Senators, writing State Representatives, calling lawyers, pouring over correspondence trying to keep track of my status with the State to no avail.
- d. Plaintiff has been consumed with this malfeasance by State and City officials:
- e. State employees refused to give Plaintiff information regarding where Plaintiff could obtain the necessary bonds and insurance to gain access to Tapestry (the States computers). Plaintiff spent approximately one year trying to get an insurance brokerage to figure out what the States requirements were (the written instructions for insurance requirements the State disseminated) was not clear to insurance brokers. The State refused to corporate and help Plaintiff find the necessary insurances.
- f. Plaintiff is claiming racial discrimination due to the fact of Defendants dismissive treatment whether on the phone or at State sponsored trainings. Plaintiff has never seen any African-Americans in any of the classes Plaintiff attended nor did Plaintiff ever see any African-American employees at the Bureau of Dealer Licensing. Plaintiff has been in a room with at least two hundred people in attendance and Plaintiff was the only African-American.
- g. Plaintiff did not seek treatment for this condition.
- h. Plaintiff has lost millions of dollars due to the fact that Plaintiff couldn't expand operations into other cities in New Mexico using a very successful business model. The company's income was starting to exceed \$6,000.00 per day three months prior to the State cancelling Plaintiff(s) contract (\$1.7 million per year, one location).
- i. Plaintiff(S) had immediate plans to open five additional stores, however, State approval was required. We have been doing due diligence since 2014 hiring 1 VIN inspector in Albuquerque and signing a tentative lease in Albuquerque in 2014.

V. Relief

- A. Plaintiff is asking \$3,100,000.00 in actual damages. Explanation for Plaintiffs claim include: annual salaries paid amounted to approximately \$175,000.00 per year, equipment cost, employee training, insurance, bonding and various fee requirements. Rescission of Plaintiffs VIN license resulted in approximately \$36,000.00 lost income annually (6 years).
The inability to gain access to State computers prevented expansion plans to open five additional MVD offices in the State of New Mexico. The State placed Plaintiff at a serious competitive disadvantage due to blocking Plaintiffs access to State computers, this required Plaintiff and/or staff to drive thirty-four miles daily (sometimes twice daily) in order to process documents
- B. Plaintiff is asking \$25,000,000.00 punitive damages.
Plaintiffs claim include: Defendants violated Plaintiffs civil rights age, race and mental disabled discrimination, and Plaintiffs Constitutional Rights to Life, Liberty and the Pursuit of Happiness.
- C. Ask the court to order an injunction barring defendant(s) probable action to stop the conduct that is causing the harm including issuing Dealer Partner license within the City of Hobbs until such time as this claim is resolved.
- D. A declaration of the legal rights of the plaintiff(s).
- E. Make the Plaintiff(s) whole by restoring Dealer Bureau License and Vehicle Identification License to Plaintiff Forrest Evans and all employees.
- F. And place an injunction on the State of New Mexico barring future harassment and loss of licenses.



Appointment Scheduling Step 2 of 3

[Go Back](#) [EEOC Public Portal](#)*NOT TRUE*

Currently, there are no appointments available. New appointment times open-up daily, so if none are available now, please check the calendar throughout the day.

Appointment Date Selector

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
04/26/2020	04/27/2020	04/28/2020	04/29/2020	04/30/2020	05/01/2020	05/02/2020
05/03/2020	05/04/2020	05/05/2020	05/06/2020	05/07/2020	05/08/2020	05/09/2020
05/10/2020	05/11/2020	05/12/2020	05/13/2020	05/14/2020	05/15/2020	05/16/2020
05/17/2020	05/18/2020	05/19/2020	05/20/2020	05/21/2020	05/22/2020	05/23/2020
05/24/2020	05/25/2020					

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*EEOC CALENDAR. I have checked every day for
2 months.*

*8/25/20
FORREST E. JAMES*

James



- Filing with EEOC

THE ASSESSMENT HAS ENDED FOR THE FOLLOWING REASON

Based on your answers, it appears that the EEOC is not the correct agency to help you. EEOC handles complaints of employment discrimination against private businesses, state and local governments, unions, temp and staffing agencies. If your complaint is against another type of employer, there may be another government agency that can assist you. For more information, please call 1-844-USA-GOV1 (1-844-872-4681) from 8:00 AM to 8:00 PM ET, Monday through Friday (except Federal Holidays), visit <http://www.usa.gov>, or click on a link below.

- Housing: U.S. Dept. of HUD - Housing Discrimination Complaints
- Education: U.S. Department of Education Office For Civil Rights
- Accessibility:
 - ADA.gov - Department of Justice ADA Page
 - U.S. Department of Transportation - DOT Access
- Voting: U.S. DOJ, Civil Rights Division (CRD), Voting Section
- Public Accommodations: DOJ, CRD, Housing & Civil Enforcement Section
- Law Enforcement/Police Misconduct: DOJ, CRD, Coordination & Review Sect.
- Other Claims:
 - U.S. Commission on Civil Rights
 - State and Local Agencies

You may still file a charge with EEOC if you wish, but EEOC may not be able to assist you. The law requires EEOC to notify your employer of the charge. If you would like to file a charge, please call 1-866-408-8075, email info@eeoc.gov, or contact your nearest EEOC office.

Home Page

*EEOC DON'T PROCESS MY TYPE SITUATION.
I CALLED & THEY SAID I NEEDED TO DO A VERBAL
INTERVIEW EVEN AFTER TELLING ME THIS.
I HAVEN'T HAD THE INTERVIEW BECAUSE THE CALENDAR
FOR AN APPOINTMENT IS ALWAYS FULL.*

*Forrest Eanna
Jant Eanna
8/25/20*

CIVIL COVER SHEET

Cm/MCF 6493464

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Forrest Evans, Ernestine Hodge
Rapido mvd services(b) County of Residence of First Listed Plaintiff Lea
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

none

DEFENDANTS

See Attached

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat. TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input checked="" type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): STATE And local

Brief description of cause: U.S.C Violation of Civil Rights As A minority
AGE, Racial, mental disability. Discrimination

VII. REQUESTED IN COMPLAINT:

- ☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
- DEMAND \$ more than \$100,000 comp
- CHECK YES only if demanded in complaint: JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

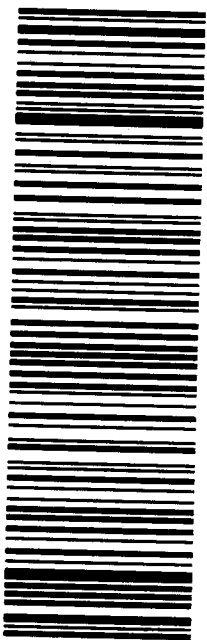
JUDGE

MAG. JUDGE

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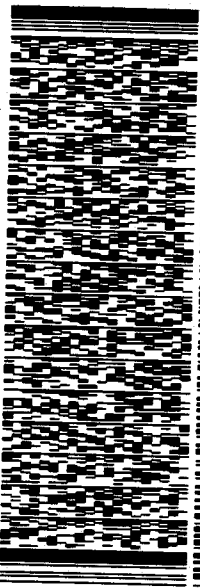
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TRK# 3961 7810 0008
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EXPRESS SAVER



ALBUQUERQUE NM 87102

US DISTRICT COURT OF NEW MEXICO
333 LOMAS BLVD NW STE 270

ORIGIN ID: HOB4 (575) 391-8634
FOREST EVENS
409 E LAND DR
HOBBS, NM 88240
UNITED STATES US
SHIP DATE: 28AUG20
ACTGRT: 1 05 11 B
CRD: 6894246/SFEE2110
BILL CREDIT CARD

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